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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Brines et al.

Application No.: 09/547,220

Group Art Unit: To be assigned

Filed: April 11, 2000

Examiner: To be assigned

For: MODULATION OF EXCITABLE TISSUE  
FUNCTION BY PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No.: 10165-006-999

**TRANSMITTAL OF DECLARATION AND POWER OF ATTORNEY,  
VERIFIED STATEMENTS AND  
REQUEST TO ESTABLISH SMALL ENTITY STATUS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

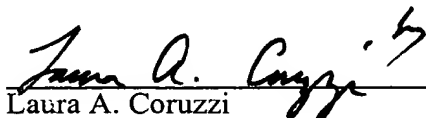
The Applicants submit herewith the following documents for the above-mentioned application: (1) a copy of an original Declaration and Power of Attorney executed by the inventors, Michael Brines, Anthony Cerami, and Carla Cerami on June 7, 2000; and (2) a copy of an original Verified Statement Claiming Small Entity Status for The Kenneth S. Warren Laboratories.

The Applicants have assigned their entire rights, title and interest in the instant application to The Kenneth S. Warren Laboratories. The Kenneth S. Warren Laboratories qualifies as a Small Entity under 37 C.F.R. §§ 1.9(f) and 1.27(d).

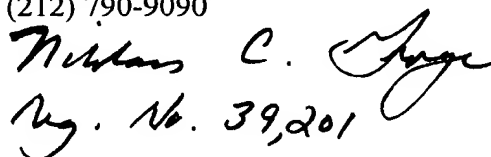
It is respectfully requested that the application be accorded Small Entity Status in accordance with 37 C.F.R. §§ 1.9(f) and 1.27(d). The surcharge for filing the enclosed Declaration and Power of Attorney is estimated to be \$65.00 for a small entity. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: June 12, 2000

  
Laura A. Coruzzi 30,742  
(Reg. No.)

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Enclosures

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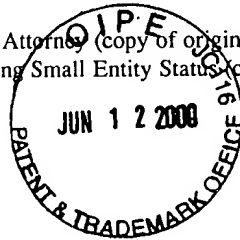
Application Serial No. 09/547,220 Filed: April 11, 2000

Inventors: Brines et al.

For: MODULATION OF EXCITABLE TISSUE FUNCTION BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN

**The stamp of the Patent Office hereon may be taken as an acknowledgment of the date stamped of the following:**

- (X) Request for Refund Pursuant to 37 C.F.R. § 1.28(a)
- (X) Transmittal of Declaration and Power of Attorney, Verified Statements and Request to Establish Small Entity Status
- (X) Declaration and Power of Attorney (copy of original)
- (X) Verified Statement Claiming Small Entity Status (copy of original)



File No. 10165-006-999

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